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09/560,665	04/27/2000	DAVID WILKINS	AND1P597	4368

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EXAMINER

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ART UNIT PAPER NUMBER

3629

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/560,665
Filing Date: April 27, 2000
Appellant(s): WILKINS ET AL.

Steven C. Lieske
Reg. No. 47,749
For Appellant

EXAMINER'S ANSWER

This is in response to the revised appeal brief filed 12/1/2005 appealing from the Office action mailed 9/7/2004.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

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(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Nonpatent reference:

www.singleparentcentral.com, Retrieved from Internet Archive Wayback Machine

<www.archive.org>, date range: 10/13/1999-1/19/2000. (See Attached

Reference Copy)

Relevant pages: 8-9 (See rejection below)

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 2, 4-7, 9-12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polk (US 5,946,669) in view of Single Parent Central (www.singleparentcentral.com, Retrieved from Internet Archive Wayback Machine <www.archive.org>, date range: 10/13/1999-1/19/2000).**

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3. As per independent Claims 1, 6, and 11, Polk discloses a method for providing a network-based child financial support framework for facilitating communication between employers, custodial parents, and non-custodial parents (payment facilitation from non-custodial parent (employee) to employer (collector) to accumulator to custodial parent), abstract, Fig.4), comprising the steps of: (a) maintaining a database including information on a received financial support payment utilizing a network (200); (b) providing general information relating to the financial support payment utilizing the network (Figs.5-7, C9 L34-46, Claims 1-8); and (d) displaying a history associated with the financial support payment (C14 L21-26, C14 L48-50).
4. Although, Polk does disclose (c) calculating a proper amount of the financial support payment (1810, Fig.18; C17 L57-66), wherein a first portion of the profile (payment information – amount, date, etc., C14 L21-30) is received from the user across the network and a second portion of the profile is received from the database (Initiator Database, C14 L35-40; Disbursement Database, C14 L35-57), and wherein the user may change the data in the second portion of the profile (C14 L21-57 – once payment is made the Disbursement database (payments made/disbursed - second profile) is updated to reflect historical information).
5. Polk fails to expressly disclose, wherein the financial support payment is based on a profile of a user and based on an amount paid to date from a non-custodial parent, and wherein the profile includes data relating to *at least one of* income, number of

children, basic support, insurance premium, child care cost, and additional expenses.

6. However, Single Parent Central teaches the use of a Child Support Calculator through a child support information resource website, which is based on a wide variety of non-custodial and custodial information, to include: Monthly Gross income (profile information), Health insurance, and Alimony Paid (*an amount* paid to date from a non-custodial parent) (www.singleparentcentral.com, pgs.8-9).
7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included calculating a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, and wherein the user may change the data in the profile, as disclosed by Single Parent Central in the system disclosed by Polk, for the advantage of providing a method for providing a network-based child financial support information site, with the ability to give the parents tailored financial information.
8. As per Claims 2, 7, and 12, Polk and Single Parent Central disclose wherein the network includes the Internet.
9. As per Claims 4, 9, and 14, Polk and Single Parent Central disclose wherein the history includes a date (Polk: Fig.9b), an amount received on the date (Polk: Fig.9b),

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and a disbursement of the amount received (Polk: 725) to the custodial parent (Polk: recipient 250).

10. Although neither Polk nor Single Parent Central expressly disclose displaying an amount retained of the amount received, it is inherent in the system disclosed by Polk, that if the amount received and the disbursement amount are tracked, then the amount retained is also tracked, because it is a function of the amount received and the disbursement amount.

11. As per Claims 5, 10, and 15, Polk and Single Parent Central disclose presenting a plurality of frequently asked questions relating to the financial support payment (www.singleparentcentral.com).

(10) Response to Argument

12. The Appellant has made the argument that the cited prior art fails to teach or suggest (a) calculating a Proper Amount of the Financial Support Payment Based on Both a User Profile and an Amount Paid.

13. However, Polk does suggest a calculation system, wherein the State tracks the amount of support paid by the non-custodial parent (C15 L54-59), and wherein the State and/or the system intermediary calculate the proper amount of financial support payment due (figs. 17-20, C17 L57-66, C19, L63-67).

14. Furthermore, Single Parent Central discloses a detailed Child Support Calculator (pgs. 8-9), which is based on a wide variety of non-custodial and custodial

information, to include: Monthly Gross income (profile information), Health insurance, and Alimony Paid (*an amount* paid to date from a non-custodial parent).

15. Finally, the independent claims have been amended to reflect a support calculator, which is based on an amount paid to date from a non-custodial parent. However, the Calculator described in the specification and shown in Fig.16 does not include an amount paid to date from a non-custodial parent, and is very similar to the calculator disclosed by Single Parent Central.
16. The Appellant has also made the arguments (b-d) that the cited prior art of Polk in view of Single Parent Central fails to disclose a (b) user profile including profile information, wherein (c) a user profile is received from both a user and a database, and (d) allowing the user to change the portion of the profile in the database.
17. However, Polk does disclose receiving payment information (amount, date, etc., C14 L21-30) from the user (first portion of profile) and a second portion of the profile is received from the database (Initiator Database, C14 L35-40; Disbursement Database, C14 L35-57).
18. Polk also discloses wherein the user may change the data in the second portion of the profile (C14 L21-57 – once a payment is made, the Disbursement database (payments made/disbursed - second profile) is updated to reflect historical information).

(11) Related Proceeding(s) Appendix

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No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

JO

July 26, 2006

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